

Intel Corporation has committed a single and continuous infringement of Article 82 of the Treaty and Article 54 of the EEA Agreement from October 2002 until December 2007 by implementing a strategy aimed at foreclosing competitors from the market of x86 CPUs which consisted of the following elements:

- a) Granting rebates to Dell between December 2002 and December 2005 at a level that was conditional on Dell obtaining all of its x86 CPU supplies from Intel;
- b) Granting rebates to HP between November 2002 and May 2005 at a level that was conditional on HP obtaining at least 95% of its corporate desktop x86 CPU supplies from Intel;
- c) Granting rebates to NEC between October 2002 and November 2005 at a level that was conditional on NEC obtaining at least 80% of its client PC x86 CPU supplies from Intel;
- d) Granting rebates to Lenovo between January 2007 and December 2007 at a level that was conditional on Lenovo obtaining all of its notebook x86 CPU supplies from Intel;
- e) Granting payments to Media Saturn Holding between October 2002 and December 2007 at a level that was conditional on Media Saturn Holding selling only computers incorporating Intel x86 CPUs;
- f) Granting payments to HP between November 2002 and May 2005 conditional on: (i) HP directing HP's AMD-based x86 CPU business desktops to Small and Medium Business and Government, and Educational and Medical customers rather than to enterprise business customers; (ii) precluding HP's channel partners from stocking HP's AMD-based x86 CPU business desktops such that such desktops would only be available to customers by ordering them from HP (either directly or via HP channel partners acting as sales agent); and (iii) HP delaying the launch of its AMD-based x86 CPU business desktop in the EMEA region by six months;
- g) Granting payments to Acer between September 2003 and January 2004 conditional on Acer delaying an AMD-based x86 CPU notebook;
- h) Granting payments to Lenovo between June 2006 and December 2006 conditional on Lenovo delaying and finally cancelling its AMD-based x86 CPU notebooks.

Article 2

EXHIBIT 6

ATTORNEY GENERAL CUOMO LAUNCHES ANTITRUST INVESTIGATION OF INTEL

Subpoena Seeks Information on Potentially Monopolistic Practices

[\[En español \]](#)

NEW YORK, NY (January 10, 2008) - Attorney General Andrew M. Cuomo today served a wide-ranging subpoena seeking documents and information on Intel Corporation (NASDAQ: INTC), the world's largest maker of computer microprocessors. Cuomo is investigating whether Intel violated state and federal antitrust laws by coercing customers to exclude its main rival, Advanced Micro Devices (AMD), from the worldwide market for x86 computer processing units (CPU).

"After careful preliminary review, we have determined that questions raised about Intel's potential anticompetitive conduct warrant a full and factual investigation," said Attorney General Cuomo. "Protecting fair and open competition in the microprocessor market is critical to New York, the United States, and the world. Businesses and consumers everywhere should have the ability to easily choose the best products at the best price and only fair competition can guarantee it. Monopolistic practices are a serious concern particularly for New Yorkers who are navigating an information-intensive economy."

The subpoena served today on Intel seeks documents and information concerning Intel's pricing practices and possible attempt to exclude competitors through its market domination. The information sought is relevant to whether Intel, among other things:

- Penalized its customers, primarily computer manufacturers, for purchasing x86 computer processing units (CPU) from competitors;

- Improperly paid customers for exclusivity;

- Illegally cut off competitors from distribution channels.

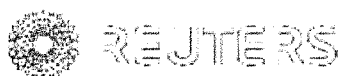
Modern x86 CPUs are currently the industry-wide standard for a majority of desktops, laptops, notebooks, servers, and workstations. The x86 market accounts for over \$30 billion in annual worldwide sales, with Intel retaining the lion's share of the market, estimated at 90% by revenue and 80% by volume.

"Our investigation is focused on determining whether Intel has improperly used monopoly power to exclude competitors or stifle innovation," said Cuomo. "We will also look at whether Intel abused its power to remove competitive threats or harm competition in violation of New York and federal antitrust laws."

Similar antitrust allegations have been examined by authorities in Europe and Asia and resulted in formal actions, including a *cease and desist* order, against Intel. In July 2007, the European Commission reached and the Korean Fair Trade Commission reached preliminary conclusions that Intel violated competition law. In 2005, the Japanese Fair Trade Commission concluded that Intel violated its competition laws and Intel agreed to *cease and desist*.

Both Intel and AMD are based in California.

EXHIBIT 7



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Intel and FTC talk settlement of market abuse suit

7:28pm EDT

LOS ANGELES (Reuters) - Intel and the Federal Trade Commission filed motions on Monday to suspend trial proceedings while both negotiate settlement of a lawsuit, in which the agency accused the company of abusing its market dominance.

The government accused Intel in December of illegally stifling competition, in a lawsuit the agency said sought to stop the marketing practices that have helped maintain Intel's status as the world's top chip maker for years.

The commission said Intel had been trying to shut out competitors in maneuvers dating back to 1999.

Intel said on Monday the motions would give both sides until July 22 to discuss a proposed settlement, but details of any proposed settlement were confidential.

The company declined further comment in its statement. Spokesman Tom Beermann said it was possible, should both sides fail to reach an agreement, that the commission will proceed with its case.

Rivals Advanced Micro Devices Inc and Nvidia Corp have also accused the chip giant of anti-competitive behavior. Intel agreed in November to pay AMD \$1.25 billion to settle their litigation.

Shares in Intel held steady in after-hours trade from its regular-session close of \$21.19.

(Reporting by Edwin Chan; Editing by Sofina Mirza-Reid)

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EXHIBIT 8

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

IN RE:
INTEL CORP. MICROPROCESSOR
ANTITRUST LITIGATION

)
)
) MDL Docket No. 05-1717-JJF
)
)

PHIL PAUL, on behalf of himself and all
others similarly situated,

Plaintiffs,

)
)
) Civil Action No. 05-485-JJF
)
)

v.

)
) CONSOLIDATED ACTION
)
)

INTEL CORPORATION,

Defendant.

FIRST AMENDED CONSOLIDATED COMPLAINT

Plaintiffs, by and through their counsel, on behalf of themselves and all others similarly situated, bring this action against Intel Corporation ("Intel") for damages and injunctive relief, and demand trial by jury. In this Consolidated Complaint ("Complaint"), Plaintiffs allege:

I. NATURE OF THE ACTION

1. Intel holds a monopoly in a market critical to our economy: microprocessors that run the Microsoft Windows and Linux families of operating systems (the "x86 Microprocessor Market"). Intel dominates the x86 Microprocessor Market, with a market share greater than 80 percent measured by unit volume and greater than 90 percent measured by revenue. It has engaged in a series of anticompetitive acts that were designed to, and did, stifle and eliminate competition in, and prevent entry into, the x86 Microprocessor Market. These anticompetitive acts have foreclosed consumer choice and allowed Intel to charge inflated prices for its products.

2. For over a decade Intel has unlawfully maintained its monopoly by engaging in a relentless, worldwide campaign to coerce customers to refrain from dealing with Intel's major competitor, Advanced Micro Devices, Inc. ("AMD"), or with any other actual or potential competitors. Among other things:

- Intel has forced major customers into exclusive or near-exclusive deals.
- Intel has conditioned rebates, allowances and market development funding on customers' agreement to severely limit or forgo entirely purchases from AMD or other competitors.
- Intel has established a system of discriminatory, retroactive, first-dollar rebates triggered by purchases at such high levels as to have the practical and intended effect of denying customers the freedom to purchase any significant volume of processors from AMD and others.
- Intel has threatened retaliation against customers introducing AMD computer platforms, particularly in strategic market segments.

- Intel has established and enforced quotas with key retailers, effectively requiring them to stock overwhelmingly, if not exclusively, Intel-powered computers, thereby artificially limiting consumer choice.
- Intel has forced PC makers and technology partners to boycott AMD product launches and promotions.
- Intel has abused its market power by forcing on the industry technical standards that have as their central purpose the handicapping of AMD and others in the marketplace.

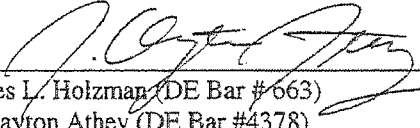
3. Intel's economic coercion of customers extends to all levels – from large computer-makers like Hewlett-Packard and IBM to small system-builders to wholesale distributors to retailers such as Circuit City. All face the same choice: accept conditions that exclude AMD's and others' products or suffer discriminatory pricing and competitively crippling treatment. In this way, Intel has avoided fair competition and precluded AMD and others of the opportunity to stake their prices and quality against Intel's for every potential microprocessor sale and thus has damaged purchasers of microprocessors and computers by eliminating competition both as to quality and price.

4. Intel's conduct has become increasingly egregious over the past several years as AMD has achieved technological leadership in critical aspects of microprocessor architecture. In April 2003, AMD introduced its Opteron microprocessor, the first microprocessor to take x86 computing from 32 bits to 64 bits – an advance that allows computer applications to address exponentially more memory, thereby increasing performance and enabling features not possible with just 32 bits. Unlike Intel's 64-bit architecture of the time (Itanium), the AMD Opteron and its subsequently-introduced desktop cousin, the AMD Athlon64, offer backward compatibility, allowing PC users to continue using 32-bit software as they upgrade their hardware. Bested in a technology duel as to which it long claimed leadership, and subject to losing market share and price control, Intel increased exploitation of its market power to pressure customers to refrain from migrating to AMD's superior, lower-cost microprocessors.

G. That Plaintiffs and Class or Subclass members have such further relief as the case may require and the Court may deem just and proper under the circumstances.

Dated: May 26, 2006

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REBECCA A. PETERSON
ASHLEY R. PALMER
JILL E. KLEMANN
DANIEL R. FORDE
ARSHAN AMIRI
JULIA M. WILLIAMS
GREGORY E. DEL GAIZO

*Admitted in CA & CT

†Admitted in CA, CNMI & Guam

April 14, 2008

VIA CERTIFIED U.S. MAIL

Jonathan C. Dickey
GIBSON, DUNN & CRUTCHER LLP
200 Park Avenue
New York, NY 10166

Re: *Inspection Demand of Intel Corporation Pursuant to Corporations Code §1601*

Dear Mr. Dickey:

Thank you for your prompt response to our client's, Christine Del Gaizo, demand to inspect certain of Intel Corporation's ("Intel" or the "Company") books and records. There are certain aspects of your letter, however, that I find puzzling. Under California Corporations Code §1601, our client, as a shareholder, has a right to inspect Intel's books and records for any "purpose reasonably related to such holder's interests as a shareholder." It is hard to imagine a more proper purpose related to a shareholder's interests than evaluating the management of the Company and to see whether the Company has engaged in illegal activities. I find your statement that you "have concerns regarding the timing, substance, and purpose of your client's inspection demands" cryptic. It would be best if you just stated what your concerns were, so they could be dealt with appropriately.

In any event, Ms. Del Gaizo has a statutory right to inspect these books and records, your concerns notwithstanding. Our client demands immediate access to the requested documents. There is no reason to delay production so that you can "discuss the substance of [our] client's demand *in due course*" (emphasis added). Further, I question why there has been any delay at all in addressing this matter with Intel. California Corporations Code §1601(a) states that these books and records should be available "at any reasonable time during usual business hours."

Lastly, California Corporations Code §1601 does not include any requirement that our client own stock during the entire relevant period, only that she is currently a shareholder. Therefore,

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please find enclosed proof of Ms. Del Gaizo's ownership of the Company's stock. Should you fail to make available the requested books and records, we will be forced to pursue all appropriate actions necessary to protect our client's rights as a shareholder, including bringing an action to enforce her rights and seeking a reimbursement of expenses pursuant to California Corporations Code §§1603 and 1604.

Please let me know the decision of Intel's Board of Directors in this regard. I anticipate your timely response.

Very truly yours,

A handwritten signature in black ink, consisting of stylized, overlapping loops and strokes, likely representing the name Marc M. Umeda.

MARC. M. UMEDA

MMU/hla

CHARLES SCHWAB

Contributory IRA of
CHRISTINE THERESE DEL GAIZO
CHARLES SCHWAB & CO INC CUST
IRA CONTRIBUTORY

Account Number

Statement Period
February 1-29, 2008

Investment Detail - Equities (continued)

Accounting Method
Equities: First In First Out (FIFO)

Equities (continued)	Quantity	Market Price	Market Value	% of		Unrealized	Estimated	Estimated
				Account	Assets			
	Units Purchased	Cost Per Share	Cost Basis	Acquired		Gain or (Loss)	Yield	Annual Income

1,698,4083

INTEL CORP